



INDIANA UTILITY REGULATORY COMMISSION
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IN THE MATTER OF THE PETITION OF)
WABASH VALLEY POWER ASSOCIATION,)
INC., FOR AUTHORITY TO EXECUTE)
NOTES AS EVIDENCE OF INDEBTEDNESS)
UP TO \$41 MILLION PAYABLE AT)
PERIODS OF MORE THAN TWELVE)
MONTHS FOR THE PURPOSE OF FUNDING)
VARIOUS CAPITAL PROJECTS,)
TRANSMISSION LINE AND SUBSTATION)
IMPROVEMENTS, AND FOR THE)
PURCHASE AND CONSTRUCTION OF)
LANDFILL GAS GENERATING FACILITIES)

CAUSE NO. 42421

FILED

MAY 07 2003

INDIANA UTILITY
REGULATORY COMMISSION

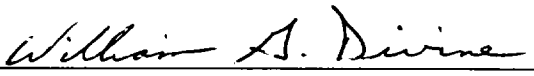
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") makes the following entry in this Cause:

On April 23, 2003, Wabash Valley Power Association, Inc. ("Petitioner") filed its *Application for the Commission to Find Certain Information Filed in this Cause as Confidential* ("Application"), seeking confidential treatment of certain evidence to be filed as part of Petitioner's case-in-chief. The Application and attached sworn statement of Nisha A. Harke seek confidential treatment, pursuant to Indiana Code 8-1-2-29, Indiana Code 5-14-3, and 170 IAC 1-1.1-4, of Petitioner's forecasted Income Statement and Balance Sheet for the years 2003-2007. The sworn statement asserts that this information merits confidential protection because "marketers could use this information to offer their resources at prices slightly below Wabash Valley's cost instead of the market price of power or their cost to produce with a normal return on investment." The sworn statement also states that Petitioner has made efforts to maintain the confidentiality of the information.


The presiding Administrative Law Judge, having reviewed the Application and attached sworn statement, find that there is a sufficient basis for a preliminary determination of confidentiality as to the exhibit or exhibits to be sponsored by Nisha A. Harke that constitute Petitioner's forecasted Income Statement and Balance Sheet for years 2003-2007, as well as any testimony by Petitioner that references specific content of said exhibit or exhibits. This preliminary determination is based on application of the trade secret exception to public disclosure found in Indiana Code 5-14-3-4(a) and Indiana Code 24-2-3-2.

Accordingly, Petitioner shall hand deliver to the presiding Administrative Law Judge, in a sealed envelope that is clearly marked confidential with the Cause Number noted thereon, the exhibit or exhibits sponsored by Nisha A. Harke that constitute Petitioner's forecasted Income Statement and Balance Sheet for years 2003-2007 and any testimony that references specific content of said exhibits. Said exhibit or exhibits and testimony shall be treated as confidential and exempt from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.


William G. Divine
Administrative Law Judge

Dated: 5/7/03


Nancy E. Manley
Secretary to the Commission